

RESPONSE AND REMARKS

In the Office Action, dated September 13, 2004 and designated a final rejection, the Examiner withdrew the previous rejections but rejected Claims 1-12 and 14-18 under 35 U.S.C. §102(e) as being anticipated by Barni, et al. (U.S. Patent No. 6,064,981) ("Barni"). In addition, the Examiner rejected Claim 13 under 35 U.S.C. §103(a) as being unpatentable over Barni.

The Examiner's rejections have been carefully considered. Independent Claims 1, 4 and 7, as well as the claims dependent on them, have been amended. Claim 10 has also been amended. Claims 11-13 remain in the application as previously presented. Reconsideration of the application, as amended, and as submitted in the concurrently filed Request for Continued Examination, is respectfully requested in view of the following responsive remarks.

It is respectfully submitted that independent Claims 1, 4, 7 and 10, as amended, are patentably distinct from Barni, whether that reference is considered alone or in combination with any other reference of record in the present application.

First, independent Claim 1 of the present application, as amended, is directed to a shipping management computer system programmed to determine a cross-comparison delivery schedule comprising a plurality of service-specific carrier-specific delivery schedules to ship a particular respective parcel. . . "in response to each respective request by each respective particular user . . . to ship a particular respective parcel . . .". Instead of responding to a user's request to ship a particular respective parcel, Barni, on the other hand, requires that a user first select a particular delivery service. See, e.g., Barni, FIG. 4 ("Selection may occur by clicking on the picture or the text. Selection of Sea, Land or Air (Ports) will build the choice list below."), which displays cross-carrier comparisons according to a user first selecting one of the service options (Sea Port-to-Port Rates (element 42, FIG. 4), Land Point-to-Point Rates (element 44, FIG. 4) and Air Port-to-Port Rates (element 46, FIG. 4)).

Barni explains that:

In the illustrative embodiment, sea port-to-port rates are selected by activating the image link 42. Land point-to-point rates are selected by activating the image link 44. Air port-to-port rates are selected by activating the image link 46. In this example, the sea ports link 42 has been selected. This opens up (or otherwise populates) a pair of listboxes 48 and 50. Listbox 48 includes a set of "from" locations while listbox 50 includes a set of "to" location[s].

(*Barni*, col. 5, lines 36-43.) It is respectfully submitted that the above-cited explanation in *Barni* does not disclose, anticipate, teach or suggest a shipping management computer system programmed to determine a cross-comparison delivery schedule comprising a plurality of service-specific carrier-specific delivery schedules to ship a particular respective parcel. . . "in response to each respective request by each respective particular user . . . to ship a particular respective parcel . . .", as claimed in independent Claim 1. Rather, as shown in FIG. 4 of *Barni*, that reference only discloses displaying a cross-carrier comparison according to a user first selecting one of the delivery services (Sea Port-to-Port Rates (element 42, FIG. 4), Land Point-to-Point Rates (element 44, FIG. 4) or Air Port-to-Port Rates (element 46, FIG. 4)).

Similarly, it is respectfully submitted that Claims 4 and 7 are patentably distinct from *Barni*, because *Barni* (e.g., col. 5, lines 36-43) does not disclose, anticipate, teach or suggest a method (Claim 4), or a computer program product (Claim 7) for determining, "in response to each respective delivery schedule information request by each respective particular user of a plurality of users, wherein each respective delivery schedule information request comprises at least a respective first postal code and a respective second postal code . . . a respective potential cross-comparison delivery schedule . . . comprising a plurality of respective service-specific, carrier-specific delivery schedules for a respective shipment from the respective first postal code to the respective second postal code . . .".

Further, it is respectfully submitted that Claim 10 of the present application is also patentably distinguished from *Barni*. Claim 10 distinctly claims displaying both a first set of delivery schedules, service charges, and shipment types for a

first carrier, as well as second set of delivery schedules, service charges, and shipment types for a second carrier. It is respectfully submitted that the display of both first and second sets of delivery schedules, service charges, and shipment types for multiple carriers is patentably distinguished from the requirement that a user first select a particular delivery service (or shipment type) as disclosed in *Barni*. See, e.g., *Barni*, FIG. 4; *Barni*, col. 5, lines 36-43.

For the foregoing reasons, because independent Claims 1, 4, 7, and 10 are patentable over the cited reference, Applicant respectfully submits that dependent Claims 2 through 3, 5 through 6, 8 through 9, and 11 through 18 are therefore also patentable over the cited reference.

In view of the foregoing, it is respectfully submitted that the invention disclosed and claimed in the present amended application is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, it is respectfully requested that the present application be reconsidered and allowed.

Respectfully submitted,

KHORSANDI PATENT LAW GROUP, ALC

By Marilyn R. Khorsandi
Marilyn R. Khorsandi
Reg. No. 45,744
626/796-2856